

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Pocket: 27234U U.S. App. No.: 10/571311 Not Yet Assigned
International Application No.: PCT/EP2004/052172	International Filing Date: 15 Sep. 2004 (15.09.2004)	Priority Date Claimed: 16 Sep. 2003 (16.09.2003) US
Title of Invention: USE OF CICLESONIDE FOR THE TREATMENT OF RESPIRATORY DISEASES		
Applicants for DO/EO/US: BETHKE, Thomas; ENGELSTAETTER, Renate; WURST, Wilhelm		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 		

U.S. Application No. 10/571311 Not Yet Assigned	International Application No.: PCT/EP2004/052172	Attorney Docket: 27234U																
20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/025578 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 24 MARCH 2005 (24.03.2005), WHICH CONSISTS OF 14 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 9 PAGES OF TEXTUAL SPECIFICATION, 4 PAGES OF 42 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT TO BE EXAMINED ; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.																		
The following fees are submitted:																		
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... \$ 300.00	<u>CALCULATION</u> \$ 300.00	<u>PTO USE ONLY</u>																
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 All other situations \$ 200.00	\$ 200.00																	
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$ 400.00 All other situations \$ 500.00	\$ 400.00																	
Total of 21, 22 and 23																		
Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Total Sheets</th> <th style="width: 20%;">Extra Sheets</th> <th style="width: 20%;"># of each additional 50</th> <th style="width: 20%;">RATE</th> </tr> <tr> <td>23-100 =</td> <td>0/50 =</td> <td>0</td> <td>X \$250</td> </tr> </table>	Total Sheets	Extra Sheets	# of each additional 50	RATE	23-100 =	0/50 =	0	X \$250	\$ 0.00									
Total Sheets	Extra Sheets	# of each additional 50	RATE															
23-100 =	0/50 =	0	X \$250															
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;"># FILED</th> <th style="width: 20%;"># EXTRA</th> <th style="width: 20%;">RATE</th> </tr> <tr> <td>TOTAL</td> <td>23-20=</td> <td>3</td> <td>X \$50</td> </tr> <tr> <td>INDEPENDENT</td> <td>1-3=</td> <td>0</td> <td>X \$200</td> </tr> <tr> <td colspan="3">Multiple dependent claims (if applicable)</td> <td>+ \$360</td> </tr> </table>			CLAIMS	# FILED	# EXTRA	RATE	TOTAL	23-20=	3	X \$50	INDEPENDENT	1-3=	0	X \$200	Multiple dependent claims (if applicable)			+ \$360
CLAIMS	# FILED	# EXTRA	RATE															
TOTAL	23-20=	3	X \$50															
INDEPENDENT	1-3=	0	X \$200															
Multiple dependent claims (if applicable)			+ \$360															
TOTAL OF ABOVE CALCULATIONS =																		
\$ 1,050.00																		
Applicant claims small entity status. Fees above are reduced by 1/2.																		
SUBTOTAL =																		
\$ 1,050.00																		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).																		
TOTAL NATIONAL FEE =																		
\$ 1,050.00																		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +																		
TOTAL FEES ENCLOSED =																		
\$ 1,050.00																		
		Amount to be: refunded \$																
		Amount to be: charged \$																

U.S. Application No.: Not Yet Assigned	International Application No.: PCT/EP2004/052172	Attorney Docket: 27234U
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10/3/1311

a. ☒ A check in the amount of \$ 1,050.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

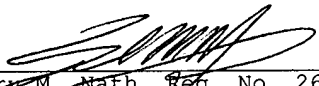
c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

7 Gary M. Nath
 NATH & ASSOCIATES PLLC
 112 South West Street,
 Alexandria, VA 22314
 Tel: 1-703-548-6284
 Fax: 1-703-683-8396


 Gary M. Nath, Reg. No. 26,965
 Sheldon M. McGee, Reg. No. 50,454
 Customer No. 34375

10/571311

MAIL STOP PCT

Attorney Docket: 27234U

Date: March 9, 2006

APR 20 2006 MAR 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BETHKE, et al.

Serial No.: Not Yet Assigned

Filed: March 9, 2006

International Application: PCT/EP2004/052172

International Filing Date: 15 September 2004

Title: **USE OF CICLESONIDE FOR THE TREATMENT OF RESPIRATORY DISEASES**

TRANSMITTAL LETTER

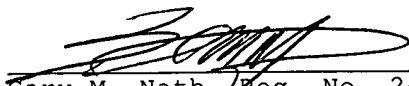
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/025578 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 24 March 2005 (24.03.2005), which consists of 14 Pages:
 - 1 page for the Cover Sheet, with Abstract,
 - 9 pages of Textual Specification,
 - 4 pages of 42 Claims,
 - 0 Sheets of Drawings;
- 4) **Preliminary Amendment with Appendices A, B, and C, to be Examined;**
- 5) Executed Declaration and Power Of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101 (Request);
- 11) Check No.: 1785 in the Amount of \$ 1,050.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900), and for 3 Extra Total Claims over 20 (\$150), as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
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